

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	1:08cr79(JCC)
KYLE DUSTIN FOGGO,)	
a/k/a "DUSTY" FOGGO,)	
)	
Defendant.)	

O R D E R

For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that:

(1) Defendant's Motion to Dismiss is DENIED IN PART;

(2) The Court shall take under advisement the question of whether Counts 27 and 28 of the second superseding indictment should be dismissed;

(3) Defendant's Motion for a Bill of Particulars is DENIED; and

(4) the Clerk of the Court shall forward copies of this Order and accompanying Memorandum Opinion to all counsel of record.

July 14, 2008
Alexandria, Virginia

_____/s/_____
James C. Cacheris
UNITED STATES DISTRICT COURT JUDGE